

# arizona

STATE BOARD  
OF NURSING

## REGULATORY JOURNAL

VOL2 • Nº1 • MAY 2007  
2<sup>ST</sup> QUARTER

Cheating  
is Profoundly Unfair to  
Patients



## **PUBLISHED BY**

ARIZONA STATE BOARD OF NURSING  
4747 North 7th Street, Suite 200  
Phoenix, AZ 85014-3653  
Phone: 602.889.5150  
Main fax: 602.889.5155  
CANDO fax: 602.889.5238  
General e-mail: [arizona@azbn.gov](mailto:arizona@azbn.gov)  
Website: [www.azbn.gov](http://www.azbn.gov)

### *GOVERNOR*

The Honorable Janet Napolitano

Joey Ridenour, RN, MN  
*EXECUTIVE DIRECTOR*

Judy Bontrager, RN, MN  
*ASSOCIATE DIRECTOR/OPERATIONS*

Valerie Smith, RN, MS  
*ASSOCIATE DIRECTOR/INVESTIGATIONS*

Pamela Randolph, RN, MS  
*ASSOCIATE DIRECTOR/EDUCATION &  
EVIDENCE BASED REGULATION*

## **BOARD MEMBERS**

Karen Hodges Hardy, RN, MSN  
*PRESIDENT*

Theresa Crawley, CRNA, MSHSA  
*VICE PRESIDENT*

Patricia A. Johnson, LPN  
*SECRETARY*

Constance Woulard, RN, MSN  
*MEMBER*

Denise Link, RNP, DNS, FNAP  
*MEMBER*

Kathy Malloch, RN, MBA, PhD, FAAN  
*MEMBER*

Steven T. Robertson, LPN, CHPLN  
*MEMBER*

Kathryn L. Busby, J.D.  
*PUBLIC MEMBER*

M. Hunter Perry  
*PUBLIC MEMBER*

EDITION 6

# arizona STATE BOARD OF NURSING

## REGULATORY JOURNAL

### **CREATED BY:**

Virginia Robertson, *PRESIDENT*  
[vrobertson@pcipublishing.com](mailto:vrobertson@pcipublishing.com)  
Publishing Concepts, Inc.  
14109 Taylor Loop Road  
Little Rock, AR 72223

### **FOR ADVERTISING INFORMATION:**

Steve McPherson  
[smcpherson@pcipublishing.com](mailto:smcpherson@pcipublishing.com)  
501.221.9986 • 800.561.4686  
[www.thinkaboutitnursing.com](http://www.thinkaboutitnursing.com)

This magazine is mailed quarterly to over 90,000 Arizona licensed nurses and reaches every nursing student, hospital administrator and nursing school administrator in the state

VOL 2 • N°1 • MAY 2007  
2<sup>ST</sup> QUARTER

**4 From the Executive  
Director: Cheating is  
profoundly Unfair to  
Patients**

**6 Reflections of a New  
Board President**

**Cheating is  
profoundly  
Unfair to  
Patients**

**8 Staff Directory**

**10 Education Corner**

**12 Regulation Rundown**

**14 Advanced Practice  
Corner**

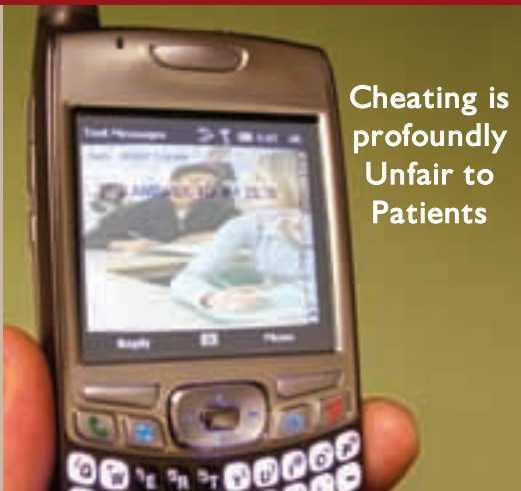
**16 Arizona State  
Board of Nursing  
Hearing Department  
Questions and Answers**

**20 Mail to the right  
address- failed in 5% of  
Correspondence  
Sent February 2007**

**27 What is Your  
License Renewal  
Date?**

**29 Disciplinary  
Actions**

**36 Notice to persons  
using CNS title**





## From the Executive Director

JOEY RIDENOUR, RN, MN

# Cheating Is Profoundly Unfair To Patients

Cheating on many types of high stakes tests used for licensure or certification domestically or internationally is as widespread as it is deeply troubling to health care regulators. Cheaters may earn passing scores without actually acquiring the knowledge and skills measured by the test.

Licenses or credentials signify that an “individual has demonstrated a significant and safe level of competence in specified domains. The cheaters credential provides no such assurance. Cheating also substantially undermines the value of the test as protection of the public against unqualified practitioners. Understanding cheating is particularly important given the trends that show cheating has increased dramatically over the past 30 years.” Donald L. McCabe, Linda Klebe Trevino, Kenneth D. Butterfield, “Cheating in Academic Institutions: A Decade of Research”, *Ethics & Behavior*, II (3), 219-232.

John Premer, Ph.D and Jamie Mjulkey, Ed.D, Senior Directors of Test Security, Caveon, have spotlighted “The Ten Most Wanted Test Cheaters”. The following seven are most relevant to nursing licensure examinations:

### **1. The Impersonator**

Impersonators are also known as proxy test takers. For example, individuals were recently caught proxy testing for TOEFL (Test of English as a Foreign Language).

### **2. The Smuggler**

Smugglers bring into the testing setting materials or devices to provide information for answers. A packet of facial tissues may contain information; a pencil/pair of eyeglasses/wrist watch may serve as storage devices for enormous amounts of information. A cell phone may be employed to send or receive answers to/from someone sitting for the exam.

### **3. The Storyteller**

Storytellers memorize test items only to “retell” them later to others. Storytellers tend to take the exam multiple times and memorize a few items in each test taking session. The sharing of the items by the storyteller ranges from telling a few friends to selling items over the internet.

### **4. The Chain Gang**

Storytellers tend to work alone but “The Chain Gang”, work in groups to memorize and sell parts of the test or item pool.

### **5. The Collaborators**

Collaborators are individuals who do not rely on their memories like the “storytellers and chain gang” but bring modern camera technology/electronic devices into the test setting to steal the test items.

### **6. Robin Hood**

Some cheating occurs without the active participation of the test taker. “Robin Hood” may give answers to test takers in a review session or lead test takers toward particular answers. The test takers may share their “coaching” through text messaging.

### **7. The Hacker**

Hackers have devoted enormous effort to infiltrating computer systems. This is the high tech version of borrowing the teacher’s grade book to alter the score.



Insights and evidence from these two articles, informs the following:

### **Five Testing Integrity Principles for Nursing Regulation**

- A.** Affirm and clearly communicate expectations regarding “testing integrity” and consistently send a message that it is a high priority in protecting the public against unqualified practitioners.
- B.** Establish laws and rules that address behavior or conduct that constitutes cheating and provide deterrents to cheating
- C.** Establish appropriate accountability and obligations on both nursing students and faculty to prevent passing scores without acquiring the knowledge and skills measured by the test.
- D.** Reduce opportunities to compromise testing processes that undermine the value of tests in protecting the public from unqualified practitioners.
- E.** Establish universal standards that drives decision making when international high stakes tests are breached to protect the public from unqualified applicants.

Cheating is profoundly unfair to patients. Society must trust that we are collectively ensuring that the “testing integrity” of the examinations protects the public from unqualified practitioners.

Joey Ridenour, RN MN



Executive Director



## Reflections of a New Board President



Karen Hardy, RN MSN

As President of the Arizona State Board of Nursing, please join me in welcoming the newest appointment, Constance Woulard RN MSN, who fills one of the five RN positions on our board of nine. Connie joined us at our March meeting. Her clinical and educational experiences will add additional wisdom to the Board deliberations and decisions and are appreciated.

Looking back on my two plus years with the Board of Nursing, I reflect on the knowledge that is a part of me now that once was only a document called the Nurse Practice Act.

### What I Know Now – About the Board

- \*1. The mission of the board and centerpiece to all we do is to **Protect the Public**
- \*2. The Board's website, [www.azbn.gov](http://www.azbn.gov), holds a wealth of information. Some of the basic information found is the current Arizona Nurse Practice Act and the Rules and Regulations governing that practice as well as Advisory Opinions. My favorite to refer nurses to is the Scope of Practice Decision Tree. Many questions can be answered by using this tool.
- \*3. As of January 2007, you now can file a complaint to the board from the website.
- \*4. You can apply for or renew your license/certificate from the website.
- \*5. The National Council of State Boards of Nursing has a website, [www.ncsbn.org](http://www.ncsbn.org). At this site you can find educational opportunities as well as information on the multistate licensure compact.
- \*6. There are 55 board staff who are guided by an Executive Director and three Associate Directors.
- \*7. The Board oversees approximately 100,000 APRN's, RN's, LPN's and Certified Nursing Assistants.
- \*8. Those licensees and certificate holders disciplined by the board are less than 1% of those the licensed/certified in the State of Arizona

### What I Know Now - About the Process

When a complaint is filed at the Board of Nursing it is triaged and given a priority number 1 (high) to 3 based on the severity of the alleged complaint and the potential harm/risk to the public. Based on prior Board actions, some complaints meet criteria for early closure and others go to the board for final discussion and decision. It takes approximately 30 staff to conduct the investigative work of the Board - receptionists, legal/administrative assistants, investigators, Nurse Consultants, three Assistant Attorney Generals, Associate Director and the Executive Director. The investigators are either master's prepared RN's or non-nursing investigators with a background and skills as paralegal/law enforcement or related fields. These highly skilled employees investigate the complaint and compile the Investigative Report (IR). When the investigation begins the investigator might request/ subpoena / find federal, state and local criminal histories, public records (documents) such as police and probation records/reports and employment records, including dates of employment evaluations and counseling. The complainant and all involved parties are interviewed. The nurse becomes the respondent to the complaint. The individual complaints and cases are placed on an agenda per Open Meeting Law and the compiled investigative reports are placed on a CD for the board members to read prior to the meeting. This is anywhere from 8-16 hours of reading thus allowing board members to be familiar with the agenda items before they get to the meeting to openly discuss them.

### What I Know Now About – Applicants and Respondents

The expectation and wisest course of action is to fully cooperate with the board if you become the respondent (nurse responding to the complaint) or if you are asked to respond due to an investigation. You might be the employer, coworker or witness to the incident and be asked to give your account of the incident. If you get mail from the Arizona State Board of Nursing-open it and read it fully. Completely fill out any questionnaires and provide the substantiating documents. Keep a log of what you are doing to cooperate with the board. This allows you and your investigator to be able to refer to dates and times. Maintain a current address on record at the board. As required by law your address must be changed with in 30 days.

My two and a half years on the board of nursing have been a great learning experience. Nursing regulation is very complex and ever changing with the trends of nursing. As president of the Arizona State Board of Nursing I welcome your comments.

Karen Hardy RN MSN  
President

## STAFF DIRECTORY

### ADMINISTRATION

Joey Ridenour, RN, MN  
Executive Director  
602.889.5200  
jridenour@azbn.gov

Judy Bontrager RN, MN  
Associate Director-Operations  
& Licensing 602.889.5204  
jbontrager@azbn.gov

Valerie Smith RN, MS  
Associate Director-Nursing  
Practice, Complaints &  
Investigations  
602.889.5206  
vsmith@azbn.gov

Pamela Randolph RN, MS  
Associate Director Education  
& Evidenced Based Regulation  
602.889.5209  
prandolph@azbn.gov

Lila Wiemann  
Administrative Assistant to the  
Executive Director  
602.889.5202  
lwiemann@azbn.gov

Dolores Hurtado  
Assistant to Associate  
Director/Nursing  
Practice, Complaints &  
Investigations  
602.889.5158  
dhurtado@azbn.gov

Thereasa Huff  
Assistant to Associate  
Director/Nursing  
Practice, Complaints &  
Investigations  
602.889.5208  
thuff@azbn.gov

Cristina Oates  
Administrative Assistant to  
Associate Director  
Operations/Licensing  
602.889.5205  
coates@azbn.gov

### ADVANCED PRACTICE

Karen Grady, MS, RN, FNP, BC  
Advanced Practice/RN/LPN  
602.889.5182  
kgrady@azbn.gov

### CANDO

Connie Linck, RN, MN,  
CNAA, BC  
Nurse Consultant – CANDO  
602.889.5156  
clinck@azbn.gov

Olga Zuniga  
Administrative Secretary –  
Monitoring & CANDO  
602.889.5157  
ozuniga@azbn.gov

### EDUCATION

Karen Gilliland  
602.889.5187  
kgilliland@azbn.gov

### FISCAL SERVICES

Norma Salter  
Accounting Technician  
602.889.5211  
nsalter@azbn.gov

### HEARINGS

Susan Barber, RN, MSN  
Nurse Practice Consultant-  
Hearing Dept  
602.889.5161  
sbarber@azbn.gov

Debra Blake, Paralegal  
Legal Assistant -Hearing Dept.  
602.889.5183  
dblake@azbn.gov

Vicky Driver  
Admin. Assistant-Hearing Dept  
602.889.5162  
vdriver@azbn.gov

### INVESTIGATIONS NURSE PRACTICE CONSULTANTS

Betty Nelson, RN, MS  
602.889.5169  
bnelson@azbn.gov

Jeanine Sage, RN, MSN  
602.889.5174  
jsage@azbn.gov

Mary Rappoport, RN, MN  
602.889.5184  
mrappoport@azbn.gov

Nan Twigg, RN, MSN  
520.615.4945  
ntwigg@azbn.gov

Sister Rachel Torrez, RN, MS  
602.889.5180  
srachel@azbn.gov

Stephanie Nelson, RN, MS  
602.889.5179  
snelson@azbn.gov

Sydney Munger, RN, MS  
602.889.5186  
smunger@azbn.gov

### SENIOR INVESTIGATORS

Duncan "Cory" Polak

602.889.5172  
cpolak@azbn.gov

James Williams  
602.889.5167  
jwilliams@azbn.gov

Jeanne Crain  
602.889.5178  
jbauer@azbn.gov

Kirk Olson  
602.889.5171  
kolson@azbn.gov

Ronald "Ron" Lester  
602.889.5159  
rlester@azbn.gov

### LEGAL SECRETARIES

Barbara Melberg  
602.889.5193  
bmelberg@azbn.gov

Dorothy Lindsey  
602.889.5177  
dlindsey@azbn.gov

Esther Garcia  
602.889.5173  
egarcia@azbn.gov

Karen Gilliland  
602.889.5187  
kgilliland@azbn.gov

Trina Smith  
602.889.5175  
tsmith@azbn.gov

### INFORMATION TECHNOLOGY

Cory Davitt  
Network Operations Director  
602.889.5213  
cdavitt@azbn.gov

Adam Henriksen  
Information Technology  
Director/Webmaster  
602.889.5231  
ahenriksen@azbn.gov

### LICENSING

Becky Melton  
RN/LPN Exam  
602.889.5190  
baranyos@azbn.gov

Debbie Kunkle  
RN/LPN Renewals  
602.889.5195  
dkunkle@azbn.gov

Cristina Oates  
Advanced Practice/School  
Nurses  
602.889.5205  
coates@azbn.gov

Donna Frye  
Fingerprints/Endorsements  
602.889.5191  
dfrye@azbn.gov

Helen Tay  
CNA Exam/Endorsements  
602.889.5189  
htay@azbn.gov

Jene Martinez  
RN/LPN/CNA  
602.889.5224  
jmartinez@azbn.gov

Paula Delphy  
RN/LPN Endorsements  
602.889.5192  
pdelphy@azbn.gov

Rhonda Rogers  
CNA.Renewals  
602.889.5188  
rrogers@azbn.gov

### MAILROOM

Derek Hardin  
602.5215  
dhardin@azbn.gov

### MONITORING

Erica Bailey  
Senior Investigator  
602.889.5160  
ebailey@azbn.gov

Brent Sutter  
Legal Secretary  
Monitoring & CANDO  
602.889.5168  
bsutter@azbn.gov

### RECEPTIONISTS

Marlane Brosseau  
602.889.5199  
mbrosseau@azbn.gov

Susan Kingsland  
602.889.5197  
skingsland@azbn.gov

Tawni Rowen  
602.889.5196  
trowen@azbn.gov

### RECORDS

Anne Parlin  
602.889.5207  
aparlin@azbn.gov



## Education Corner

PAMELA RANDOLPH RN, MS  
ASSOCIATE DIRECTOR/EDUCATION  
AND EVIDENCE BASED REGULATION



cheating of all types is increasing among students. Cheating rates have been estimated between 60-70% among high school students and 30-50% among college students (Hendershott,

2000). There are also studies reporting that students who cheat engage in other deviant behavior (Blankenship, 2000). Nurses have earned the public trust and are consistently ranked as the most trusted profession; each incident of cheating among nursing students and faculty serves to undermine the public trust in nurses.

An exam is intended to sample the knowledge of the student or applicant. If the exam is released before the test, it loses reliability and validity as a measure of the student's total knowledge. A nurse needs to know much more than the content of exam items. It is especially disturbing when those entrusted to preserve the values of the profession, faculty and regulators, engage in behaviors that undermine academic integrity. When asked why they cheat, students claim, "everyone does it" or "it's what you need to do to succeed". Reasons for faculty involvement may stem from a desire to be helpful to students, liked by students, or in response to student pressure. Faculty may also be motivated to cheat when they are rewarded, either monetarily or in a performance evaluation, if students pass an exam. Cheating behaviors on the part of a nurse or nursing student have serious implications in the clinical setting. Caregivers rely on the nurse's integrity and honesty in reporting patient information. Falsifying patient data can have life-threatening implications for patients.

Faculty and nursing program administrators can deter cheating by establishing a culture of academic integrity where students, faculty and administrators are equally responsible for monitoring and enforcing academic integrity policies (Hendershott, 2000). Studies show that students are reluctant to report cheating (Hendershott, 2000). In the second incident above, no student

came forth to report the incident to a program administrator or another instructor. If cheating is to be deterred, it must become a socially unacceptable behavior. By firmly establishing the implications of cheating in terms of patient harm, harm to the profession, and tarnished reputation of those involved, a culture of integrity can be fostered.

Information for this article was obtained from:

Hendershott, Drinan, and Cross. Toward enhancing a culture of academic integrity. *NASPA Journal*, Vol. 37, No. 4, Summer 2000.

Blankenship & Whitley. Relationship of general deviance to academic dishonesty. *Ethics and Behavior*, Vol. 10, No. 1 pp 1-12, (2000).

## Board Actions on Education Matters

### January, 2007

Accepted Consent for Civil Penalty from Sunrise Mountain High School CNA program and approved CNA program

Dismissed complaints against Pima Medical Institute RN program and Sun Grove Village CNA program

### March 2007

Applications for program change were approved from Cochise College (program length), and Pima Medical Institute (program length).

Dismissed complaints against SEVEN Academy Refresher Program, East Mesa Care Center CNA Program, Yuma Nursing Center CNA Program, and Central Arizona College RN program.

Renewed approval of refresher programs at John C. Lincoln (RN) and North Dakota Nurses Association (PN).

Issued Notice of Deficiency to University of Phoenix LPN to BSN program

Approved University of Mary (Bismarck, North Dakota) application to provide clinical experiences in AZ.

## Academic Integrity

The following incidents recently came to the attention of the Board:

1.) Officials in the Philippines provided actual items from the Philippines nursing licensure exam to examinees in a review course. The June 2006 breached test was given to test takers. Allegedly Test III medical-surgical had 20 out of the 100 questions and Test V neuro-psych had 90 out of the 100 questions given to students.

On February 14, 2007 the Commission on Graduates of Foreign Schools (CGFNS) announced it would deny Visa Screen Certificates for Filipino nurses who had obtained licensure based on the 2006 breached exam. CGFNS further stated that nurses would qualify for the Visa Screen if they were able to successfully pass Tests III & V.

On the same date the American Nurses Association (ANA) Board of Directors passed a resolution stating that all passing candidates of the June 2006 breached exam wishing to be considered for licensure be required to retake a new and different licensure test and obtain a passing score.

2.) In an Arizona nursing program, a faculty member read exam items to students in an exam preparation session while students taped the session.

3.) In another Arizona nursing program, it was alleged that a faculty member let it be known that a copy of an exam would be left unattended if students cared to examine or copy it.

Coupled with reports of nursing student plagiarism, copying from others during an exam, use of crib sheets and high-tech cheating, the public has serious reasons to question the competency and qualifications of nurses. There is growing evidence that



### **Rulemaking R4-19-215; R4-19-301; R4-19-302; R4-19-505; R4-19-506; R4-19-507; and R4-19-508**

These individual rules were revised to address issues that have arisen since their adoption. Amendments to Article 2 (R4-19-215) contain a process for rescinding the approval of an out-of-state nursing program that does not substantially meet Board standards.

Amendments to Article 3 (R4-19-302) grant the Board specific authority to prescribe additional licensure requirements for an individual who graduates from a revoked nursing program.

Amendments to Article 5 (R4-19-505) will extend the waiver of certification for clinical nurse specialists practicing in the area of maternal/infant health or women's health since there is no certification exam. Standards for keeping an advanced practice certificate active and for education to increase competency within an advanced practice specialty (R4-19-508) are incorporated. Advanced practice nurses will now be required to practice for 960 hours within their specialty area or possess national certification in their category and specialty to maintain their advanced practice certification with the Board. The final rules were approved by the Governor's Regulatory Review Council at their April 3, 2007 meeting and will be final in early June. The practice requirement for advanced practice nurses will be implemented July 1, 2007.

The final rules are posted on the website.

### **Articles 1 and 4**

Extensive revisions of Articles 4 (Regulation) and 1 (Definitions and

Time-frames) are underway. A preliminary review will be conducted by Board staff, Board members, Education Committee, and Scope of Practice Committee. Following these reviews, a notice of proposed rulemaking will be placed on the Board website for general public review and comment.

The person to contact at the Board regarding rules is:

Pamela Randolph

602-889-5209

e-mail: [prandolph@azbn.gov](mailto:prandolph@azbn.gov)

Fax: 602-889-5155



## APRN Practice Hour Requirement for Renewal

Effective July 1, 2007, all advanced practice registered nurses (APRNs) are now required to either practice as an APRN for 960 hours (within 5 years) or possess national certification in their category and specialty area in order to maintain their advanced practice certification with the Board.

Those APRNs with advanced practice certificates issued after July 1, 2004, are already required to maintain national certification to renew their certification.

Those APRNs with advanced practice certificates issued on or before July 1, 2004, or those issued without proof of national certification under R4-19-505 (A)(7) and (B)(2), will be required to practice advanced practice nursing at the applicable level of certification for a minimum of 960 hours in the five years before the date the application is received.

This practice hour requirement is satisfied if the applicant has either:

1. Completed an advanced practice nursing education program within the past five years; or
2. Practiced for a minimum of 960 hours within the past five years where the nurse:
  - a. Worked for compensation or as a volunteer, as an RNP or CNS, and performed one or more acts under A.R.S. § 32-1601(5) for a CNS or A.R.S. § 32-1601(15) for an RNP; or
  - b. Held a position for compensation or as a volunteer that required or recommended, in the job description, the level of

advanced practice certification being sought or renewed.

If the practice hour requirement is not met, the APRN will be required to either provide evidence of current national certification in their specialty area, or will be required to complete coursework/continuing education (minimum of 45 hours of advanced pharmacology and 45 hours related to the specialty) and a specified number of precepted clinical hours depending upon the number of years out of practice:



300 hours if the applicant has practiced less than 960 hours in only the last 5 years;

600 hours if the applicant has not practiced 960 hours in the last 5 years, but has practiced at least 960 hours in the last six years;

1000 hours if the applicant has not practiced at least 960 hours in the last 6 years, but has practiced 960 hours in the last 7 to 10 years; or

If the APRN has not practiced 960 hours of advanced practice nursing in the category and specialty area being renewed in more than 10 years, complete a program of study as recommended by an approved advanced practice nursing program that includes, at minimum, 500 hours of faculty supervised clinical practice in the category and specialty area of certification.

### Questions:

*If I was certified after July 1, 2004 and am already required to submit evidence of national certification for renewal, do I have any additional requirements for renewal?*

No. Current national certification fulfills the requirement.

*Do hours worked in an RN role apply to the APRN requirement?*

No. Your practice hours must be in the category and specialty area of your APRN certification

*Will I need 960 hours for my RN license plus an additional 960 hours for my APRN certificate?*

No. Your 960 APRN hours will also satisfy the RN 960 hour requirement.

*If I am working in a non-clinical APRN role will those hours apply to the requirement?*

Yes, if the job description requires or recommends APRN certification.

---

*Do other states have a practice requirement for APRN nurses?*

Yes. Other state regulations were reviewed and the majority had requirements for APRN renewal, including Oregon, Washington State, Utah, and New Mexico.

Increasing Competency within an Advanced Practice Specialty

Effective June 3, 2007, R4-19-508 Scope of Practice of a Registered Nurse Practitioner is amended to include standards for educational preparation to increase competency/provide health care services within the RNP's scope of practice:

An RNP shall only provide health care services within the nurse practitioner's scope of practice for which the RNP is educationally prepared and for which competency has been established and maintained. Educational preparation means academic coursework or continuing education activities that include both theory and supervised clinical practice.

The full rule amendments can be viewed on our website. Go to [www.azbn.gov](http://www.azbn.gov), Resources, Proposed Rules, R4-19-506 and R4-19-508. These proposed amendments to Article 5 were published in the November 2006 ASBN Journal, posted on the ASBN website, and an open public hearing was held on January 17, 2007, with no persons testifying against the rulemaking.

For questions about advanced practice or the advanced practice committee, contact Karen Grady at (602) 889-5182 or via e-mail at [kgrady@azbn.org](mailto:kgrady@azbn.org).

SUSAN BARBER, RN MSN  
NURSE CONSULTANT/HEARING DEPARTMENT

### **How do I get a hearing regarding my case?**

First, complaints received by the Board are thoroughly investigated and, when the investigation is complete, the case is placed on the Board meeting agenda for Board review. The Board (9 members) determine the outcome of each case. If the complaint is dismissed or if a Letter of Concern is issued, these two options are not disciplinary action and therefore, cannot be appealed.

The Board may vote to offer the licensee or certificate holder a Consent Agreement for a particular disciplinary action, which includes civil penalty (fine), decree of censure (reprimand), probation, suspension or revocation. If the Consent Agreement is signed, the investigative case is closed and, depending on the discipline, the case may be transferred to the Monitoring Department. If the Consent Agreement is not acceptable to the nurse or nursing assistant, the nurse or nursing assistant has the right to request a formal hearing. The case is transferred to the Hearing Department.

In some cases, the Board could vote to issue Notice of Charges. Once issued, a Notice of Charges requires a written response requesting a hearing in order to send the case on to the Hearing Department. If there is no response, it is considered a default decision and admission to the charges. All defaults return to the Board with a document called Motion to Deem Allegations Admitted. The Board has jurisdiction to determine and issue appropriate discipline by a default decision.

For applicants (exam, endorsement, renewal, reinstatement), if the Board issues an Order of Denial, a written response appealing the Board's decision is required to send the case on to hearing. By Statute, a denial hearing must be scheduled within 60 days of the Applicant's written request for a hearing.

### **2. What happens in the Hearing Department?**

**a.** A letter is sent to the licensee or certificate holder advising that their case has been transferred. The letter reinforces the Board's initial decision, identifies other options, and briefly describes the hearing process.

**b.** A licensee or certificate holder may decide to accept the Board's initial offer for discipline and sign the original Consent Agreement closing the case in the Hearing Department.

**c.** A licensee or certificate holder may negotiate specific findings or terms in the offered Consent Agreement before signing. Any changes to Consent Agreement terms and conditions must be Board approved before becoming final.

**d.** A licensee or certificate holder may decide to give up their license/certificate by signing Consent for Voluntary Surrender.

**e.** A pre-hearing settlement conference may be scheduled in an attempt to settle a case prior to the scheduled hearing. Two Board members attend the settlement conference along with the Assistant Attorney General assigned to the case, Board staff, the licensee or certificate holder, and if represented, the licensee's attorney. Both sides present a brief overview and options are negotiated. If a settlement is reached, once the new Consent Agreement is signed, the hearing is cancelled. If a settlement cannot be reached, the hearing moves forward.

**f.** Hearings are not held before the Board. Formal hearings are scheduled at the Office of Administrative Hearings ("OAH"), a separate and independent agency from the Board of Nursing. Hearings are held before an Administrative Law Judge ("ALJ"). A hearing is similar to a court room setting, with a Judge presiding, an Assistant Attorney General representing the Board's case, and Board staff (investigator/consultant) serving as a witness. Other witnesses may be called. The nurse or nursing assistant may be represented by counsel and may bring witnesses or other evidence to support their case.

Upon completion of all testimony and introduction of all evidence, the ALJ will write Findings of Fact, Conclusions of Law and will recommend a specific discipline be taken. The ALJ's report will be placed on the Board agenda for review at the next non-telephonic Board meeting. The Board has jurisdiction to accept, reject or modify the ALJ's recom-

CONTINUED >>



mended decision based on their review of the transcript in the case. Once the Board votes on the appropriate discipline in a hearing case, an ORDER is issued. The licensee or certificate holder then has 35 days to appeal the Board's Order by filing a written request for rehearing, or the discipline becomes final.

If a request for rehearing is filed, there must be a valid basis for the request pursuant to A.A.C. R4-19-608. The request for rehearing is placed on the Board agenda for review. The Board has authority to grant or deny a rehearing, or grant a review for the purpose of modifying the final Order. If a rehearing is granted, a hearing will be rescheduled at OAH. If a rehearing is denied, the disciplinary Order becomes final and effective on the date the Board's decision; (Order Denying Rehearing), is placed in the mail.

**g.** At this point, the licensee may appeal further to Superior Court by filing for Judicial Review of the Board's decision, and by requesting an injunction to STAY (hold) the Board's disciplinary Order. If a stay is not requested during the request for Judicial Review of the Board's decision, the disciplinary Order remains effective during the appeal process. An appeal of this nature keeps the case open pending the Court's decision. The Court may dismiss the appeal and find in favor of the Board, remand the case back to the Board for further action, or grant the appeal.







## ARIZONA STATE BOARD OF NURSING

JOEY RIDENOUR  
EXECUTIVE DIRECTOR

4747 NORTH 7TH STREET  
SUITE 200  
PHOENIX, AZ 85014-3653  
PHONE (602) 889-5150  
FAX (602) 889-5155  
E-MAIL: [arizona@arbn.gov](mailto:arizona@arbn.gov)  
Website: [www.arbn.gov](http://www.arbn.gov)

### BOARD MEMBERS

KAREN HARDY, RN, MSN  
PRESIDENT

THERESA CRAWLEY, CRNA,  
MSHA  
VICE PRESIDENT

PATRICIA JOHNSON, LPN  
SECRETARY

CONSTANCE WOULARD, RN,  
MSN

DENISE LINK, RNP, DNS, FNAP

KATHRYN BUSBY, J.D.  
PUBLIC MEMBER

KATHY MALLOCH, PH.D., MBA,  
RN, FAAN

M. HUNTER PERRY  
PUBLIC MEMBER

STEVEN T. ROBERTSON, LPN

April 2007

Dear RN/LPN Renewal Applicant,

The Arizona State University Center for Health Information and Research, in collaboration with the Arizona Board of Nursing and the Healthcare Institute of the Arizona Hospital and Healthcare Association, is conducting this survey to gather information about the nursing workforce in Arizona, practice patterns of nurses, and the factors that encourage or discourage nurses from practicing in the state. This information will be used to answer questions about the current status and projected future nursing workforce needs in Arizona.

The Center for Health Information and Research is a HIPPA-compliant research center based in the School of Computing and Informatics in Arizona State University's A. Fulton School of Engineering. Your answers to this survey will be kept confidential and only aggregate information will be published; no personal information will be disclosed. We anticipate reporting on the results of this survey by December 2007.

Nurses are a very valuable and necessary health care resource to patients in Arizona, and your responses will help us improve planning for future recruitment and retention of nurses in all settings and locations around the state. We thank you for answering this survey and providing us this important information.

Sincerely,

Joey Ridenour RN MN  
Executive Director  
Arizona State Board of Nursing

Mary Rimsza, MD  
Medical Director, Center for Health Information and Research  
Arizona State University

2007 will be the first in a series of many years that the RN/LPN Renewal Applicants will be receiving a survey to be completed with the renewal process. Core data will be compared with other states and the survey responses will be important in projecting nursing workforce needs in Arizona.

~JER



# Mail to the Right Address - Failed In 5% of Correspondence Sent February 2007

Judy Bontrager, RN MN  
Associate Director/Operations

In February 2007 staff reviewed all mail returned to the Board.

Reasons for the returns included:

- Not deliverable as addressed, unable to forward
- Attempted to deliver, insufficient address, unable to forward
- No forwarding address
- No mail receptacle
- Address unknown
- Forward time expired
- Certified mail was unclaimed



Approximately 5% of the mail we sent out was returned to the Board. The mail included licenses, certificates, letters, consent agreements, certified mail, application packets, etc. When mail is returned, the data base is checked to see if you may have updated your address since the mail was sent out. If so, the information is resent to you.

However, we cannot change your address to the forwarding address that the Post Office has written on the envelope into our data base. That change of information must be obtained directly from you. With the current failure rate of “bad addresses” it is essential that we have current addresses on everyone.

*By statute §32-1609(C), Each person who holds an Arizona nursing license or nursing assistant certificate shall notify the board within thirty days of each change in the licensee's or certificate holder's residence address. §32-1643 (A)(28) Failing to notify the board of a change of residence address pursuant to section 32-1609, results in a charge of \$5.00*

Please verify we have your current address in the Board of Nursing data base. Go to [HYPERLINK www.azbn.gov](http://www.azbn.gov), click on the gold star on the left column of the home page. When you view your information, you will have the option to click on “view/update” and be able to update your address information. You will have 4 addresses to consider:

- The **Home** address is mandatory.
- The **Mailing** address is optional. This is for use when you wish to have your mail sent to an address other than your home. i.e. a Post Office box
- The **Work** address is also optional.

The **Temporary** address is optional. You can include the **Arizona State Board of Nursing Regulatory Journal**

Thanks for your assistance in updating your address so the Board has accurate information in getting your mail to

## *From the national scene...* **National Council State Boards of Nursing**



As the Area I Director representing the western region of the United States for NCSBN, I am pleased to share the highlights from the NCSBN May board meeting held in Chicago. The nine member board worked on strategic initiatives for 2008, reviewed committee accomplishments of this past year, created committee charges for 2008, and prepared the agenda for the annual Delegate Assembly meeting in August. The bylaws recommendations include increasing the number of board member from 9 to 11, transitioning the nominations committee to a succession planning committee, and increasing all terms of office to two years.

The following strategic initiatives will be presented to the Delegate Assembly in August:

- 1.NCSBN strategically advances patient safety for the health and welfare of the public
- 2.NCSBN contributes to Member Board excellence by providing resources, communication, education and technology.
- 3.NCSBN advances evidence-based nursing regulation and regulatory solutions for public protection.
- 4.NCSBN provides comprehensive data management for use by Member Boards and external stakeholders.
- 5.NCSBN is the premier organization to define and measure entry and continued competence.
- 6.NCSBN advances the development of regulatory excellence worldwide.

To address the need for a reliable, timely and comprehensive nursing data base continues to be one of the strategic initiatives of NCSBN. Specifically, a Nursys® Business development proposal was supported to pursue:

- 1.Creation of a unique nurse identifier
- 2.Gather data from all boards of nursing within their statutory limitations
- 3.Provide accurate data for baseline nursing information
- 4.Implement a fraud and imposter notification system
- 5.Develop a common licensure for application to boards of nursing

In an unfortunate situation, the scheduling of NCLEX testing at the international test center in Seoul, Korea has been suspended. Evidence specific to candidate cheating was confirmed by NCSBN staff. Continuing investigation and dialogue with Korean government officials and Kang Dong Academy to resolve the security issues as quickly as possible is occurring by NCSBN testing and legal staff. For additional information contact Joey Ridenour, Executive Director, Arizona State Board of Nursing.

Special recognition is Arizona staff and board members for their participation on NCSBN committees; Kathy Busby, JD, Bylaws committee; Adam Henriksen, Nursys® Advisory Panel; Joey Ridenour, Member Board Leadership Development Advisory Panel; Pat Johnson, Item Review Subcommittee and Val Smith, Awards Panel.

Kathy Malloch, PhD, MBA, RN, FAAN; NCSBN Board of Directors: Area I Director



## Recruiting for:

### Panel of Judges for LPN/VN Standard Setting

On behalf of the National Council of State Boards of Nursing, we are recruiting RNs and LPN/VNs for the Panel of Judges for Standard Setting. NCSBN conducts a standard setting workshop for the NCLEX-PN examination every three years. The Panel of Judges' responsibility is to recommend an NCLEX examination passing standard to the Board of Directors. As a member of the Panel of Judges you would travel to Chicago to participate in meetings held the week of September 17th for 3-4 days.

The Panel of Judges will be composed RNs and LPN/VNs (of a minimum of nine members), representing all four geographic regions and clinical practice areas. Members of the PN Panel of Judges must meet the following criteria:

- Must be currently employed in clinical nursing practice giving direct patient care and working directly with LPN/VNs who have entered nursing practice during the last twelve months (e.g., staff nurses who work collaboratively with entry-level nurses, nurses who precept or orient entry-level nurses, assistant head nurses, head nurses, clinical specialists).
- Applicants (noted above) must be in clinical practice for at least two years.
- One educator who currently supervises basic/undergraduate students in the clinical area.
- One entry level practitioner with less than 1 year in practice.

Also, to allow for filling vacancies of any who might resign from the panel, we must also create an alternate list of participants. If you are interested in being considered for the Panel of Judges, please submit your CV via e-mail to Lorraine Kenny, MS, RN at [lkenny@ncsbn.org](mailto:lkenny@ncsbn.org) or fax it to her at 312-279-1036.



# What is Your License Renewal Date?

Judy Bontrager, RN MN  
Associate Director/Operations

AzBN statistics show that 48% more nurses renewed their license on line by April 1, 2007 than those who renewed by April 1, 2006.

## Benefits of Early Renewal:

- 1.) Employers can verify your renewal now versus June 30, 2007.
- 2.) You will not receive a "blast email" reminding you to renew.
- 3.) You will receive your hard copy of the license within a few days from the time of your online renewal.
- 4.) Avoid "forgetting to renew" and paying a late fee.

Thank you,  
AzBN Licensing Staff



**CNA DISCIPLINARY ACTION**

\*Not reported in previous Newsletter

JANUARY-FEBRUARY-MARCH 2007

EFFECTIVE DATE	NAME	CERTIFICATE	DISCIPLINE	VIOLATION(S)
3/9/2007	Adams, Christina M	CNA751373626	Revoked	Criminal Conviction-Misdemeanor; Against Person; Drug Related
1/16/2007	Adams, Doug J	CNA834831103	Revoked	Criminal Conviction-Misdemeanor; Fraudulent Billing; Fraud/Deceit
8/10/2006*	Adeyemi, Adewale	CNA722308499	Suspension	Violating Board Order
12/21/2006*	Anaya, Fernando	CNA999949995	Stayed Revocation	Criminal Conviction-Misdemeanor
2/5/2007	Anaya, Fernando	CNA999949995	Revoked	Violating Board Order
12/15/2006*	Angulo, Mary H	CNA999993864	Civil Penalty	Misconduct
2/16/2007	Angulo, Mary H	CNA999993864	Suspension	Violating Board Order
8/17/2006*	Ault, Wendy H	CNA999993610	Suspension	Violating Board Order
1/5/2007	Bailey, Olivia N	CNA Applicant	Certificate Denied	Criminal Conviction-Misdemeanor; Obtaining Certificate by Fraud; Failure to Cooperate
10/6/2006*	Bates, Alice L	CNA028539803	Revoked	Violating Board Order
11/26/2006*	Beach, Lauren M	CNA1000001600	Civil Penalty	Practicing Beyond Scope
9/1/2006*	Begay, Lavonne M	CNA999949042	Revoked	Violating Board Order
5/5/2006*	Big, Lanova A	CNA1000008496	Revoked	Violating Board Order
9/22/2006*	Bolley, Breanna S	CNA1000004230	Revoked	Violating Board Order
8/31/2006*	Bowden, Amy C	CNA1000009801	Revoked	Violating Board Order
7/13/2006*	Brockwell, Melissa C	CNA1000003378	Revoked	Violating Board Order
1/18/2007	Browarny, Dale K	CNA1000008499	Voluntary Surrender	Failure to Maintain Minimal Standards; Unsafe Practice
11/15/2006*	Brown, Lois K	CNA256283103	Stayed Revocation w/Suspension	Alcohol Abuse; Violating Board Order
2/9/2007	Burnette, Llory A	CNA1000011772	Civil Penalty	Criminal Conviction-Misdemeanor; Failure to Cooperate
3/22/2007	Butao, Danilo A	CNA1000004757	Voluntary Surrender	Sexual Abuse; Unsafe Practice; Failure to Follow Orders
11/15/2006*	Callas, Kelly M	CNA499415357	Voluntary Surrender	Criminal Conviction-Felony; Drug Related
2/20/2007	Campbell, John C	CNA1000011720	Civil Penalty	Criminal Conviction; Misdemeanor; Against Property
1/10/2007	Cason, Thomas H	CNA Applicant	Certificate Denied	Criminal Conviction-Misdemeanor; Against Property; Drug Related
3/8/2007	Charley, Donna L	CNA Applicant	Certificate Denied	Criminal Conviction-Felony; Failure to Cooperate
2/13/2007	Coles, Jessica D	CNA1000011666	Stayed Revocation	Drug Abuse; Criminal Conviction
3/9/2007	Colter, Bertha J	CNA468301803	Revoked	Failure to Follow Orders; Verbal Abuse; Neglect; Failure to Cooperate
3/13/2007	Cox, Courtney B	CNA Applicant	Certificate Denied	Criminal Conviction-Misdemeanor; Drug Related; Failure to Cooperate
8/21/2006*	Curtis, Roxanne N	CNA1000001269	Suspension	Violating Board Order
11/13/2006*	Cutter, Marissa R	CNA1000009947	Suspension	Violating Board Order
7/7/2006*	Dawo, Rachel	CNA999993372	Revoked	Violating Board Order
3/2/2007	Delgadilla, Kristina M	CNA Applicant	Certificate Denied	Drug Abuse; Failure to Cooperate
2/25/2007	Donyina-Twumasi, Maria L	CNA999951666	Civil Penalty	Leaving Duty Station
3/21/2006*	Dorame, Bianca	CNA1000003805	Revoked	Violating Board Order
1/30/2007	Dykert, Leonarda	CNA999952143	Certificate Denied	Criminal Conviction-Misdemeanor; Presenting Illegal RX; Failure to Cooperate
1/5/2007	Enlow, Debra L	CNA Applicant	Certificate Denied	Criminal Conviction-Felony; Obtaining Certificate by Fraud; Failure to Cooperate
6/23/2006*	Erickson, Carl W	CNA572563873	Revoked	Violating Board Order
2/6/2007	Estus, Emma L	CNA307833233	Voluntary Surrender	Theft - Client; Misconduct; Failure to Cooperate
10/6/2006*	Eubanks, Phyllis V	CNA1000009714	Revoked	Violating Board Order
3/9/2007	Fenton, Sandra L	CNA999995453	Revoked	Violating Board Order
11/15/2006*	Fleming, Dianna C	CNA286545843	Revoked	Violating Board Order
1/22/2007	Flores, Frank	CNA022566103	Revoked	Violating Board Order
1/22/2007	Flores, Sherri L	CNA621743809	Revoked	Violating Board Order
1/18/2007	Gabbert, Leeandra	CNA1000011468	Stayed Revocation	Drug Related; Fraud/Deceit
2/1/2007	Galang, Maria E	CNA999952546	Civil Penalty	Obtaining Certificate by Fraud
3/23/2006*	Garcia, Graciela V	CNA483982803	Suspension	Violating Board Order
1/17/2007	Garcia, Renee Y	CNA999947084	Voluntary Surrender	Criminal Conviction-Felony
8/10/2006*	Gigous, Michelle	CNA999949133	Revoked	Violating Board Order
8/10/2006*	Gilbreth, Kimberlie A	CNA999991481	Suspension	Violating Board Order
8/11/2006*	Gonzales, Gerardo P	CNA1000001221	Voluntary Surrender	Violating Board Order
1/22/2007	Griffin, Jenny M	CNA714246441	Suspension	Violating Board Order
3/6/2007	Henry, Donna K	CNA Applicant	Certificate Denied	Criminal Conviction-Felony; Alcohol Abuse; Obtaining Certificate by Fraud

JANUARY-FEBRUARY-MARCH 2007

EFFECTIVE DATE	NAME	CERTIFICATE	DISCIPLINE	VIOLATION(S)
8/30/2006*	Hermann, Duwayne R	CNA827575713	Voluntary Surrender	Violating Board Order
6/22/2006*	Hern, Timothy J	CNA999999521	Suspension	Violating Board Order
3/9/2007	Hernandez, Carie L	CNA1000003052	Revoked	Drug Abuse; Drug Use on Duty; Violating Board Order
1/19/2007	Hoggatt, Jody A	CNA Applicant	Certificate Denied	Criminal Conviction-Misdemeanor; Failure to Cooperate
3/9/2007	Howard, Lianita	CNA305317619	Revoked	Failure to Follow Orders; Practicing Beyond Scope; Fraud/Deceit; Failure to Cooperate
1/20/2007	Ingle, Felicia M	CNA Applicant	Certificate Denied	Criminal Conviction-Misdemeanor; Failure to Cooperate
12/20/2006*	Kalinowski, David J	CNA999993282	Voluntary Surrender	Criminal Conviction-Felony
3/5/2007	Keith, Tonya C	CNA Applicant	Certificate Denied	Criminal Conviction-Misdemeanor; Drug Related; Failure to Cooperate
12/24/2006*	Kennon, Amanda M	CNA1000011264	Civil Penalty	Criminal Conviction; Misdemeanor; Drug Related
2/15/2007	Kennon, Amanda M	CNA1000011264	Suspension	Violating Board Order
6/15/2006*	Kline, Shepard	CNA999949489	Revoked	Violating Board Order
1/17/2007	Knott, Candis S	CNA999948337	Voluntary Surrender	Violating Board Order
3/9/2007	Kollman, Veronica L	CNA1000000123	Revoked	Failure to Follow Orders; Misconduct; Sexual Misconduct; Unprofessional Conduct
2/1/2007	Koutsy, Regne A	CNA Applicant	Certificate Denied	Criminal Conviction-Misdemeanor; Failure to Cooperate
3/2/2007	Kreger, Jennifer A	CNA1000011815	Stayed Revocation	Criminal Conviction-Misdemeanor; Alcohol Abuse
3/8/2007	Larose, Paul R	CNA Applicant	Certificate Denied	Criminal Conviction-Misdemeanor; Fraud/Deceit
2/27/2007	Lopez, Alma A	CNA999987923	Voluntary Surrender	Physical Abuse; Verbal Abuse; Failure to Follow Orders
1/18/2007	Lumry, Tamara J	CNA485635103	Voluntary Surrender	Breach of Confidentiality; Misconduct; Fraudulent Billing
10/20/2006*	Macias, Gregorio A	CNA666376601	Revoked	Failure to Follow Orders; Sex with Client; Sexual Abuse; Criminal Conviction-Misdemeanor
8/9/2006*	Magdaleno, Corena V	CNA1000005208	Suspension	Violating Board Order
1/3/2007	McGartland, Tammy S	CNA1000008849	Revoked	Violating Board Order
5/15/2006*	Mebane, Demetrios Y	CNA1000003281	Revoked	Violating Board Order
3/9/2007	Mendivil, Anna A	CNA1000002196	Revoked	Theft - Client; Failure to Follow Orders; Misconduct
2/16/2007	Montano, Olivia Y	CNA999997789	Suspension	Violating Board Order
2/3/2006*	Olude, Christiana A	CNA1000004606	Stayed Revocation	Violating Board Order
3/9/2007	Page, Bobbi J	CNA1000004457	Revoked	Misconduct; Violating Board Order
3/26/2007	Palmer, Melissa A	CNA Applicant	Stayed Suspension	Criminal Conviction-Misdemeanor; Alcohol Abuse; Violating Board Order
1/30/2007	Phillips, Vonda K	CNA929999103	Certificate Denied	Criminal Conviction-Misdemeanor; Failure to Cooperate
2/2/2007	Pinto De Vazquez, Nora S	CNA999952628	Civil Penalty	Obtaining Certificate by Fraud
10/20/2006*	Powskey, Penny L	CNA1000009799	Revoked	Violating Board Order
3/9/2007	Qalliaj, Angel K	CNA761372989	Revoked	Fraud/Deceit; Failure to Cooperate
1/4/2007	Rhoads, James B	CNA1000003052	Certificate Denied	Criminal Conviction-Misdemeanor; Inability to Practice Safely
10/13/2006*	Riley, Sherry A	CNA999999980	Revoked	Violating Board Order
3/21/2006*	Rist, Cassy L	CNA1000004459	Revoked	Violating Board Order
1/10/2007	Roberts, Christi M	CNA Applicant	Certificate Denied	Criminal Conviction-Misdemeanor; Against Person; Drug Abuse
2/22/2007	Rouse, Kevin S	CNA1000006756	Stayed Revocation	Drug Abuse; Drug Use on Duty
3/28/2007	Rouse, Kevin S	CNA1000006756	Revoked	Violating Board Order
1/24/2007	Sangster, Bernice	CNA1000011582	Civil Penalty	Criminal Conviction
2/9/2007	Saxon, Flavia T	CNA1000003907	Stayed Revocation	Drug Abuse
1/19/2007	Short, Wayne G	CNA Applicant	Certificate Denied	Criminal Conviction-Felony; Misdemeanor; Failure to Cooperate
2/20/2007	Skavang, Tyler R	CNA1000006071	Suspension	Violating Board Order
1/19/2007	Sparks, Nancy L	CNA920677650	Revoked	Violating Board Order
7/26/2006*	Stoner, Cassandra L	CNA1000000101	Revoked	Violating Board Order
12/21/2006*	Tasso, Daryl J	CNA999999923	Civil Penalty	Practicing Beyond Scope
8/21/2006*	Taylor, Kristy	CNA182250641	Suspension	Violating Board Order
5/26/2006*	Thibodeau, Carolyn A	CNA1000003111	Revoked	Violating Board Order
1/5/2007	Thompson, Alesia	CNA Applicant	Certificate Denied	Obtaining Certificate by Fraud; Fraud/Deceit; Failure to Cooperate
1/24/2007	Thornton, Wendy A	CNA1000011535	Stayed Suspension	Criminal Conviction-Misdemeanor
2/9/2007	Van Looy, Christel M	CNA392123113	Stayed Revocation	Physical Abuse; Verbal Abuse
1/23/2007	Vandevender, Nanci M	CNA284348589	Voluntary Surrender	Drug Use on Duty; Alcohol Abuse
2/28/2007	Victery, Sheila M	CNA1000011799	Stayed Revocation	Criminal Conviction-Misdemeanor; Alcohol Abuse
2/26/2007	Waller, Lisa D	CNA1000011792	Stayed Suspension	Drug Abuse; Misconduct
10/20/2006*	Welborn, Lisa E	CNA Applicant	Certificate Denied	Criminal Conviction-Misdemeanor; Drug Abuse; Alcohol Abuse

JANUARY-FEBRUARY-MARCH 2007

EFFECTIVE DATE	NAME	CERTIFICATE	DISCIPLINE	VIOLATION(S)
3/13/2007	Whitehead, Jessica F	CNA1000003902	Civil Penalty	Leaving Duty Station; Failure to Cooperate
11/15/2006*	Wilkinson, Denise A	CNA1000009770	Revoked	Violating Board Order
3/9/2007	Williams, Susan C	CNA1000002878	Revoked	Violating Board Order
2/15/2007	Yazzie, Darlene D	CNA597918353	Revoked	Violating Board Order
12/7/2006*	Young, Curtistine M	CNA999991932	Revoked	Violating Board Order
1/26/2007	Young, Teresa R	CNA999996041	Revoked	Violating Board Order
12/19/2006*	Zavala, Melissa	CNA999997134	Civil Penalty	Practicing Beyond Scope

## CNA Discipline ACTION CLEARED

JANUARY-FEBRUARY-MARCH 2007

EFFECTIVE DATE	NAME	CERTIFICATE
2/27/2007	Angulo, Mary H	CNA999993864
1/24/2007	Chapetti, Sara G	CNA657248103
11/15/2006*	Garcia, Ivah K	CNA1000000215
1/24/2007	Meadows, Shamona R	CNA999994266
2/3/2007	Olude, Christiana A	CNA1000004606
1/24/2007	Whalen, Daniel J	CNA999950213



## RN/LPN DISCIPLINARY ACTION

\*Not reported in previous Newsletter

JANUARY-FEBRUARY-MARCH 2007

EFFECTIVE DATE	NAME	LICENSE	DISCIPLINE	VIOLATION(S)
1/12/2007	Acosta, Belinda J.	RN035539 /AP0863	Probation	Practicing Beyond Scope (APRN)
2/22/2007	Allen, Paula D.	LP038477	Decree of Censure	Inappropriate Delegation
3/27/2007	Ash, Louis D.	RN108228	Decree of Censure	Failure to Follow Orders, Fraud, Deceit
1/4/2007	Atkins, Judith M.	LP029571	Voluntary Surrender	Failure to Maintain Minimal Standards, Unsafe Practice, Medication Errors
1/24/2007	Baars, Terry L.	LP039936	Probation	Failure to Maintain Minimal Standards, Documentation Errors, Practicing Beyond Scope
3/9/2007	Barnhart, Brittney N.	LP043030	Probation	Criminal Conviction-Misdemeanor, Alcohol Abuse, Action in Another Jurisdiction
1/2/2007	Bateman, Julie D.	RN122091	Probation	Failure to Maintain Minimal Standards
1/2/2007	Behlers, Douglas D.	RN114544	Probation	Unprofessional Conduct
3/26/2007	Blondell, Marissa J.	RN127834 /LP038560	Probation	Failure to Maintain Minimal Standards, Documentation Errors
2/16/2007	Bode, Sandra Mae	RN078224	Revocation	Drug Abuse, Violating Board Order
12/31/2006*	Branson, Lee W.	Compact TN, LP	Revocation	Privilege to Practice; Failure to Maintain Minimal Standards
3/26/2007	Burke, Stacy J.	RN101708	Probation	Failure to Follow Orders, Practicing Beyond Scope, Failure to Cooperate With Board
3/26/2007	Butler, Madeline M.	RN134148	Stayed Revocation w/Probation	Drug Abuse; Failed to submit to a for cause drug screen Failed to submit to a for cause drug screen
12/29/2006*	Carusillo, Gail M.	LP014980	Revocation	Criminal Conviction-Felony, Drug Abuse
2/26/2007	Case, Rebecca S.	RN069044	Probation	Inability to Practice Safely
3/16/2007	Chiha, Soraya	RN129289	Voluntary Surrender	Violating Board Order
3/8/2007	Childers, Tonya L.	RN076293 /LP024572	Probation with Civil Penalty	Practicing Beyond Scope
1/4/2007	Christy, Laura K.	RN116691	Voluntary Surrender	Violating Board Order
2/6/2007	Clay, Kendra N.	LP033590	Voluntary Surrender	Fraud, Deceit, Violating Board Order
3/28/2007	Cooper, Grant W.	RN094171 /AP851	Summary Suspension	Unsafe Practice, Practicing Beyond Scope, Writing Illegal RX



JANUARY-FEBRUARY-MARCH 2007

EFFECTIVE DATE	NAME	LICENSE	DISCIPLINE	VIOLATION(S)
1/2/2007	Dahl, Melinda Lou	RN123635	Stayed Suspension w/Probation	Suspension Completed
12/14/2006*	Dambeck Jr., Robert	RN079118	Decree of Censure	Failure to Assess, Failure to Intervene
1/29/2007	Dangelo, Isabel M.	LP029270	Probation	Drug Use on Duty
12/29/2006*	Degnan, Susan Ann	LP040889	Revocation	Drug Abuse, Violating Board Order, Failure to Cooperate with Board
1/22/2007	Demattia, Arlene C.	LP037609	Suspension	Violating Board Order
2/15/2007	do Carmo, Kathryn L.	LP037548	Stayed Suspension w/Probation	Failure to Maintain Minimal Standards, Unsafe Practice, Failure to Follow Orders
2/28/2007	Donaldson, Cheryl E.	RN Endorsement	License Denied	Action in Another Jurisdiction
1/2/2007	Draper, Dustin N.	RN126495	Revocation	Misconduct-Physical Abuse, Verbal Abuse, Drug Related
3/26/2007	Dulaney, Teresa	LP024841	Probation	Unsafe Practice, Failure to Follow Orders, Failure to Assess
3/26/2007	Elmendorf, Bruce W.	RN129546	Stayed Revocation w/Suspension	Drug Abuse, Drug Diversion, Failure to Comply with Requirements of Impaired Nurse Program
1/4/2007	Estrella, Lily	LP Endorsement	License Denied	Fraud, Deceit, Action in Another Jurisdiction
3/21/2007	Frank, Ruby H.	LP026513	Decree of Censure	Misconduct-Physical Abuse, Inappropriate Delegation
2/15/2007	French, Virginia V.	RN019608	Civil Penalty	Fraud, Deceit
3/9/2007	Garcia, Dara Lee	RN091717 /LP028178	Revocation	Violating Board Order
3/10/2007	Germain, Marie L.	LP037573	Decree of Censure with Civil Penalty	Fraud, Deceit
3/9/2007	Glampe, Ernestine R.	LP022773	Revocation	Drug Abuse, Violating Board Order, Failure to Cooperate with Board
3/7/2007	Gorny, Janelle L.	RN Endorsement	License Denied	Criminal Conviction-Misdemeanor, Alcohol Abuse
12/27/2006*	Gorski, Carl J.	RN085409	Probation	Drug Abuse, Alcohol Abuse, Drug Use on Duty
3/16/2007	Gricol, Judith A.	RN096175	Decree of Censure	Documentation Errors, Drug Use on Duty
2/16/2007	Griner, Roberta J.	RN023998	Decree of Censure with Civil Pentalty	Misconduct-Boundaries
2/15/2007	Guerricaechevarria, Deborah	RN051679 /AP0219	Voluntary Surrender	Unsafe Practice, Practicing Beyond Scope (APRN), Writing Illegal RX
2/6/2007	Hall, Lynda Lu	RN000099346	Suspension/Indefinite	Alcohol Abuse, Drug Use on Duty
12/26/2006*	Hampshire, Deborah A.	RN036328	Revocation	Criminal Conviction-Misdemeanor, Alcohol Abuse, Failure to Cooperate with Board
2/12/2007	Hartwigsen, Carole M.	RN123340 /LP037680	Decree of Censure	Documentation Errors, Failure to Report Violations
3/9/2007	Haycraft, David W.	RN132655	Revocation	Failure to Comply with Requirements of Impaired Nurse Program
12/26/2006*	Helm, Marilyn J.	RN084153	Probation	Alcohol Abuse
1/30/2007	Hove, Cory G.	RN071816 /LP023349	Stayed Revocation w/Suspension	Failure to Maintain Minimal Standards, Failure to Follow Orders, Practicing Beyond Scope
1/18/2007	Jacques, Yvette B.	RN092380	Revocation	Violating Board Order
11/30/2006*	Jeffrey, Maryellen H.	RN079790 /LP023755	Probation	Suspension Completed
3/12/2007	Jones, Pamela D.	RN138033	Probation	Failure to Maintain Minimal Standards, Drug Abuse
3/22/2007	Jones, Pamela D.	RN138033	Voluntary Surrender	Failure to Cooperate with Board
11/15/07*	Kelly, Colleen F.	RN059428	Suspension	Failure to Maintain Minimal Standards; Drug Diversion
3/9/2007	Kelly, William D.	RN084184	Revocation	Unsafe Practice, Misconduct-Physical Abuse, Drug Abuse
12/26/2006*	Kilgore, Gina	LP028293	Revocation	Violating Board Order
2/6/2007	King, Mary H.	LP021126	Voluntary Surrender	Failure to Comply w/Requirements/Impaired Nurse Program
3/9/2007	Kishbaugh, Vanessa R.	LP011109	Revocation	Failure to Comply w/Requirements/Impaired Nurse Program
2/26/2007	Kurczeski, Hope E.	RN107173 /LP033737	Civil Penalty	Misconduct-False Documentation
3/14/2007	Lammert, Shannon L.	LP043068	Probation	Criminal Conviction-Misdemeanor, Alcohol Abuse

JANUARY-FEBRUARY-MARCH 2007

EFFECTIVE DATE	NAME	LICENSE	DISCIPLINE	VIOLATION(S)
2/7/2007	Laskowski, Judith A.	RN128606	Decree of Censure	Medication Errors
3/7/2007	Lato, Donald T.	RN Endorsement	License Denied	Drug Related, Violating State/Federal Statutes/Rules, Failure to Cooperate with Board
12/27/2006*	Lee, Sonja	Compact /RN - TX	Revocation	Privilege to Practice; Unprofessional Conduct, Drug Use on Duty, Drug Diversion
1/17/2007	Leute, Aimee M.	RN132306	Voluntary Surrender	Violating Board Order
12/15/2006*	Levenson, Brenda L.	LP042834	Probation	Criminal Conviction-Misdemeanor
1/11/2007	Liston, Stacey D.	RN103334 /LP032167	Suspension	Drug Diversion, Violating Board Order
1/24/2007	Lohof, Michelle A.	RN116964	Stayed Revocation w/Probation	Alcohol Abuse, Failure to Comply with Requirements of Impaired Nurse Program
1/19/2007	Lopez, Blaine C.	LP041505	Stayed Revocation w/Probation	Violating Board Order
3/26/2007	Lopez, Mary Frances	RN119733	Probation	Criminal Conviction-Misdemeanor, Drug Abuse
9/11/2006*	Luedke, Shea A.	LP028484	Probation	Documentation Errors, Practicing Beyond Scope
11/15/2006*	Martinez, Janet	LP034177	Probation	Criminal Conviction-Misdemeanor, Alcohol Abuse
2/15/2007	Matheny, Chad E.	RN135908	Voluntary Surrender	Drug Abuse, Drug Diversion, Failure to Comply with Requirements of Impaired Nurse Program
12/29/2006*	Mautner, Christopher P.	LP037499	Revocation	Violating Board Order
2/20/2007	McKeown, Kathy	RN037649	Stayed Revocation w/Suspension	Drug Abuse, Alcohol Abuse, Inability to Practice Safely
2/20/2007	McManamen, Patricia L.	RN130038 /AP2096	Voluntary Surrender	Inability to Practice Safely
12/18/2006*	McNeil, Beverly R.	RN055989	Reinstatement Denied	Failure to Cooperate with Board
3/9/2007	Meeker, Fred R.	RN088392 /LP028775	Revocation	Failure to Comply with Requirements of Impaired Nurse Program
12/29/2006*	Meisse, Linda A.	LP037981	Revocation	Violating Board Order
2/20/2007	Milan, Suzanne M.	LP042988	Civil Penalty	Criminal Conviction-Misdemeanor, Drug Related
3/9/2007	Montgomery, Cynthia D.	RN100391	Revocation	Drug Abuse, Violating Board Order, Failure to Cooperate with Board
12/29/2006*	Murphy-Wylie, Marney	LP038788	Revocation	Violating Board Order
2/13/2007	Muskus, Mariann F.	RN139115	Decree of Censure	Wastage Errors, Drug Diversion
1/25/2007	Nichols, Shenna A.	RN125632	Probation	Failure to Maintain Minimal Standards, Failure to Assess, Violating Board Order
3/9/2007	Nolan, Richard L.	RN056815	Revocation	Drug Use on Duty, Violating Board Order, Failure to Cooperate with Board
8/25/2006*	Nopp, Kelly A.	LP028917	Court Ordered Revocation	Failure to Maintain Minimal Standards, Misconduct-Theft – Employer, Drug Diversion
1/24/2007	Noriega, Nancy Y.	RN040222	Probation	Suspension Completed
12/29/2006*	Odom, Melissa K.	LP041469	Revocation	Drug Diversion, Failure to Cooperate with Board
3/26/2007	Ohaco, Gloria S.	RN030376	Civil Penalty	Failure to Maintain Minimal Standards, Failure to Intervene, Failure to Supervise
3/1/2007	Olexsak, Elizabeth D.	RN081690	Decree of Censure	Misconduct-Mental Abuse, Misconduct-Verbal Abuse
1/25/2007	Ondicho, Judith S.	LP Endorsement	Civil Penalty	Practicing without License
1/24/2007	Opuroku, Ezekiel Tolu	LP036460	Stayed Revocation w/Suspension	Violating Board Order
12/29/2006*	Payne, Kelly J.	LP035029	Revocation	Drug Abuse, Drug Use on Duty, Failure to Cooperate with Board
8/28/2006*	Phillips, Tammy F.	LP023895	Probation	Drug Abuse
3/9/2007	Pietila, Jennifer J.	RN083031	Revocation	Criminal Conviction-Misdemeanor, Action in Another Jurisdiction
12/29/2006*	Price, Lisa D.	RN135600	Revocation	Failure to Comply w/Requirements/Impaired Nurse Program
3/2/2007	Rademacher, Tracey Ann	RN139027	Probation	Unsafe Practice, Drug Use on Duty
11/15/2006*	Randolph, Lakeysha E.	RN118845	Suspension/Indefinite	Inability to Practice Safely-Physical, Violating Board Order
1/24/2007	Rider, Jennifer D.	LP037135	Suspension/Indefinite	Failure to Follow Orders, Documentation Errors, Medication Errors
2/6/2007	Rudnick, Ilana M.	RN Endorsement	License Denied	Inappropriate Delegation, Violating Board Order

JANUARY-FEBRUARY-MARCH 2007

EFFECTIVE DATE	NAME	LICENSE	DISCIPLINE	VIOLATION(S)
3/3/2007	Scarce, Sandra S.	RN114468	Probation	Failure to Maintain Minimal Standards, Failure to Follow Orders, Practicing Beyond Scope
3/9/2007	Schulz, Edward	LP031215	Revocation	Drug Abuse, Drug Diversion, Misconduct-Physical Abuse
1/25/2007	Shepherd, Gail L. (Skip)	RN068928	Stayed Revocation w/Probation	Documentation Errors, Misconduct-False Documentation
2/28/2007	Sherrod, Christina G.	LP006127	Voluntary Surrender	Unsafe Practice, Medication Errors, Inability to Practice Safely
3/26/2007	Shimp, Mona Lisa	LP041393	Stayed Revocation w/Probation	Failure to Maintain Minimal Standards, Failure to Follow Orders, Unprofessional Conduct
1/23/2007	Siegle, Jennifer L.	RN120330	Voluntary Surrender	Failure to Comply with Requirements of Impaired Nurse Program
3/19/07	Simms, Sonja	RN094465 /LP030296	Decree of Censure	Failure to Supervise
1/24/2007	Smith, Elizabeth A.	RN130040	Civil Penalty	Failure to Maintain Minimal Standards, Documentation Errors
3/2/2007	Sorensen, Linda I.	RN Endorsement	License Denied	Failure to Maintain Minimal Standards, Drug Use on Duty, Inability to Practice Safely
3/12/2007	Struse, Marilyn J.	RN087488	Revocation	Violating Board Order
11/15/2006*	Taylor, Cynthia K.	LP041089	Probation	Medication Errors, Failure to Maintain Minimal Standards, Failure to Follow Orders
12/29/2006*	Torres, Olivia	LP019024	Revocation	Violating Board Order
1/9/2007	Ulibarri, Sherri	RN058001	Stayed Revocation w/Probation	Stayed Revocation Indefinite Suspension Cleared
1/24/2007	Vergili, Frank M.	RN099822 /LP020942	Stayed Suspension w/Probation	Sexual Language, Violating Board Order
3/9/2007	Vincent, Joseph B.	LP030829	Revocation	Failure to Maintain Minimal Standards, Failure to Follow Orders, Violating State/Federal Statutes/Rules
3/9/2007	Wenham, Christa A.	LP030510	Revocation	Failure to Comply with Requirements/ of Impaired Nurse Program
1/16/2007	White, Patricia A.	RN097209 /AP1776	Stayed Suspension w/Probation	Alcohol Abuse, Violating Board Order
9/1/2006*	Wilson, Lora L.	LP032031	Revocation	Criminal Conviction-Misdemeanor, Failure to Maintain Minimal Standards
1/4/2007	Winscher, Melissa Sue	RN088442	Voluntary Surrender	Drug Abuse, Alcohol Abuse, Fraud, Deceit
12/27/2006*	Wiseman, Gary	LP042833	Probation	Criminal Conviction-Misdemeanor, Alcohol Abuse
3/9/2007	Young, Leticia	RN117484 /LP036088	Revocation	Violating Board Order
12/30/2006*	Zackowski-Beliveau, Anne M.	RN105757	Probation	Failure to Maintain Minimal Standards

## RN-LPN Discipline ACTION CLEARED

EFFECTIVE DATE	NAME	LICENSE
1/24/2007	Baker, Myriah Carsten	RN054257/LP016911
2/17/2007	Dominguez, Rose Mary	RN045549
1/24/2007	Dowell, Barry W.	RN133079/LP032769
3/26/2007	Dubravcic, Phillip C.	RN139303/LP041460
1/24/2007	Garrison, Angela M.	RN132767
3/6/2007	Hilger, Martin C.	RN065753/LP019491
3/29/2007	McMillan, Susan E.	RN097099
3/26/2007	Nelson, Janice W.	RN045858
1/24/2007	Norris, Denise K.	RN049315
2/7/2007	Pine, Becky L.	RN094383
1/24/2007	Ramirez, Gerardo	RN134500/LP035232
12/20/2006*	Ruelas, Gregory M.	LP038600
3/26/2007	Scott, Lynda G.	RN118455
1/24/2007	Stokes, Stacy L.	RN117723
1/24/2007	Voss, William C.	RN036688
2/26/2007	Weber, Judith L.	RN073739

JANUARY-FEBRUARY-MARCH 2007





## Recruiting for: NCLEX® Examination Item Development

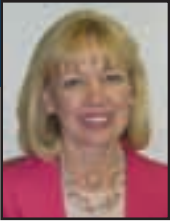
NCSBN Depends on practicing nurses to assist in the NCLEX® item Development process. Panel members travel to Chicago (all expenses paid) to write or review test items for the NCLEX examination. On site training is provided. As an NCLEX panel member you not only have the opportunity to earn contact hours, but also to network with your nursing colleagues on a national level.

To qualify, you must be a registered nurse (RN) or a licensed practical/vocation nurse (LPN/VN) in the jurisdiction where you practice. Specific requirements for the volunteer panels also include:

- Item writers must be an RN or LPN/VN for the NCLEX PN® exam and an RN with a masters degree or higher for the NCLEX RN® exam; and be responsible for teaching basic/undergraduate students in the clinical area.
- Item Reviewers must be an RN or LPN/VN for the NCLEX PN exam and an RN for the NCLEX RN exam; and currently employed in a clinical setting, working directly with nurses who have entered practice within the last 12 months.

Panels are held throughout the year. This is your opportunity to contribute to the continued excellence of the nursing profession. You can apply today online at [www.ncsbn.org](http://www.ncsbn.org). At the homepage in the far left column under Testing Services Announcements you will see the link for the Item Development On-line Application. Thank you.





## NOTICE TO PERSONS USING CNS TITLE

PAMELA RANDOLPH RN, MS  
ASSOCIATE DIRECTOR/EDUCATION AND EVIDENCE BASED  
REGULATION

There may be persons that are incorrectly being titled or using the title “CNS” and “Clinical Nurse Specialist”. In a rulemaking (R4-19-510) effective November 13, 2005, “... a person shall not practice as a ...**clinical nurse specialist**, or use any words or letters to indicate the person is a ... **clinical nurse specialist** unless certified by the Board.”

Qualifications for Board certification of Clinical Nurse Specialists include completion of a CNS program and national certification as a Clinical Nurse Specialist in a recognized specialty. Recognized specialty exams and certifying agencies for CNS are:

### **American Association of Critical Care Nurses**

- a. Adult Critical Care CNS
- b. Pediatric Critical Care CNS
- c. Neonatal Critical Care CNS

### **American Nurses Credentialing Center**

- a. Adult Psych/Mental Health Going Across the Lifespan CNS
- b. Child/Adolescent Psych and Mental Health CNS
- c. Community Health CNS
- d. Gerontological CNS
- e. Home health CNS (retiring exam in Oct. 05)
- f. Adult Health CNS (changed from Medical-Surgical CNS)
- g. Pediatric CNS

Persons who are not certified by the Arizona State Board of Nursing and who are currently using the Clinical Nurse Specialist or CNS title should discontinue as soon as possible. This may mean changing business cards, name plates, and name pins. The unauthorized use of a protected title may cause confusion on the part of the public, other nurses, and other disciplines and may subject the nurse to a charge of unprofessional conduct.



*Joey Ridenour  
Executive Director*

Arizona State Board of Nursing  
Presents

**The Fifth Annual  
CNA Educators Retreat  
Friday, January 11, 2008**

*Exciting New Venue  
Guest Speaker and Presentations by  
the  
AZBN Executive Panel*

For Information Please Call Or  
Visit Our Website At  
602-889-5150, 602-889-5187  
[www.azbn.gov](http://www.azbn.gov)

# EDUCATION CONSULTANT POSITION OPEN

There is an opening at the Arizona State Board of Nursing for a full-time education consultant. The position will involve conducting surveys and providing education and consultation to nursing assistant, LPN and RN programs. Requirements include a master's degree in nursing or education with a bachelor's degree in nursing and extensive experience in nursing education. The successful candidate will have excellent written and oral communication skills, knowledge of the nurse practice act, and effective time management. The position requires frequent travel within the state. For more information, please contact Pamela Randolph RN, MS, Associate Director of Education and Evidence-based Regulation at 602-889-5209 or [prandolph@azbn.gov](mailto:prandolph@azbn.gov)

